APPENDIX A

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

SFPP, L.P. Docket Nos. OR92-8-011, OR93-5-008 and OR94-4-008

Docket No. OR95-5-006

MOBIL OIL CORPORATION

v.

SFPP, L.P.

Docket No. OR95-34-005

TOSCO CORPORATION

v.

SFPP, L.P.

SFPP, L.P. Docket No. IS99-144-003

SFPP, L.P. Docket No. IS00-379-000

[Issued August 16, 2000]

Before: Hoecker, Massey, Breathitt, Hébert, Jr. Commissioners.

On July 17, 2000, SF[PP], L.P. filed two documents to comply with Opinion No. 435-A, issued on May 17, 2000.[1]

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[1] SFPP, L.P., 91 FERC ¶ 61,135 (2000) (Opinion No. 435-A).

Opinion No. 435-A addressed a large number of issues raised on rehearing of the Commission's prior order in this proceeding, Opinion No. 435,[2] and directed SFPP to make a revised compliance filing conforming to Opinion No. 435. One of the two documents filed on July 17 contains the calculations and schedules that support the revised rate levels from SFPP's East Line rates required by the May 17 order. That document bears the same docket numbers as the May 17 order. The second document is FERC Tariff Number 60, proposed to be effective August 1, 2000, filed in Docket No. IS00-379-000 to place in effect revisions to SFPP's East Line rates required by Opinion No. 435-A. A protest was filed by Navajo Refining Company (Navajo) on July 31, 2000.

Consistent with the practice explained in Opinion No. 435-A,[3] the Commission will accept and suspend the proposed tariff to be effective August 1, 2000, subject [to] refund. The Commission also waives the 30-day requirement to permit the tariff to become effective on short notice and will require SFPP to provide additional documentation to support its compliance filing.

Navajo's protest raises numerous issues regarding the calculations contained in SFPP's filing. At this time there are also outstanding further requests for rehearing by SFPP, Refining Holding Company, L.P., and Chevron Products Company (Chevron) that could materially affect the calculations that are contained in the relevant portion of SFPP's July 17 filing. The Commission will therefore follow the practice adopted in Opinion Nos. 435 and 435-A of ruling on the requests for rehearing, the compliance filings, and a number of procedural issues related to SFPP's

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[2] SFPP, L.P., 86 FERC ¶ 61,022 (1999) (Opinion No. 435).

[3] 91 FERC at 61,519-20.

continuing litigation in a single order to be issued subsequent to this order.

Navajo's protest does raise certain matters that will be addressed here, however. First, Navajo asserts that SFPP's efforts to recover reconditioning costs, environmental costs, and certain FERC related litigation costs through an offset against possible refunds or through a prospective surcharge should be rejected because the calculations contained in the compliance filing are not supported by any work papers or other supporting detail as required by Opinion No. 435-A. Second, Navajo asserts that SFPP has not supported through adequate detail its calculation of its tax allowance in light of the Commission's ruling in Opinion No. 435-A that SFPP must establish those portions of its ownership interests that are held by Subchapter C corporations or other entities that are normally not subject to a two tier income tax liability.[4]

The Commission finds with regard to these matters that SFPP has not submitted the supporting detail and documentation required by Opinion No. 435-A. This information must include a proper and documented allocation of any claimed reconditioning costs between SFPP's capital and operating accounts as discussed in Opinion No. 435.[5] Accordingly, SFPP will be required to file the required detail and work papers within 15 days from the date this order issues.

The Commission orders:

(A) SFPP's FERC Tariff No. 60 is accepted and suspended, to be effective August 1, 2000, subject to refund.

(B) SFPP must submit the additional documentation required by this order within 15 days after issuance of this order.

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[4] 91 FERC at 61,508-10.

[5] 86 FERC at 61,108.

(C) The Commission waives the 30 day notice requirement for good cause shown.

/s/ DAVID P. BOERGERS
David P. Boergers,
Secretary